

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GUSTAVO UBAL-PEREZ,

Plaintiff,

13 CV 2872 (SJ) (JMA)

-against-

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

DELTA AIR LINES INC.,

Defendants.

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A P P E A R A N C E S

LAW OFFICE OF IRA S. NEWMAN
98 Cutler Mill Road
Suite 441-South
Great Neck, NY 11021
By: Robert Powers
Attorneys for Plaintiff

MORGAN LEWIS & BOCKIUS LLP
101 Park Avenue
New York, NY 10178
By: Ellyn Michele Pearlstein
Ira G. Rothstein
Attorneys for Defendant

JOHNSON, Senior District Judge:

Presently before the Court is a Report and Recommendation (“Report”) prepared by Magistrate Judge Joan M. Azrack. Judge Azrack issued the Report on January 2, 2014, and provided the parties with the requisite amount of time to file any objections. Neither party filed any objections to the Report. For the reasons stated herein, this Court affirms and adopts the Report in its entirety.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate's report. See id. Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. See id. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985). In addition, failure to file timely objections may waive the right to appeal this Court's Order. See 28 U.S.C. § 636(b)(1); Small v. Sec'y of Health and Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

In this case, objections to Magistrate Judge Azrack's recommendations were due on January 16, 2013. No objections to the Report were filed with this Court. Upon review of the recommendations, this Court adopts and affirms Magistrate Judge Azrack's Report in its entirety. The Clerk of the Court is directed to close the case.

SO ORDERED.

Dated: January 21, 2013
Brooklyn, NY

_____/s/_____
Sterling Johnson, Jr., U.S.D.J.